

REMARKS/ARGUMENTS

Claims 7-11 are pending. Claims 1-6 were previously cancelled, and claims 12-20 are currently withdrawn from consideration. Claim 7 is amended.

Election/Restriction

On page 2 of the Office action, the Examiner points out that the election without traverse of Species III (as shown in Figure 7) on April 24th, 2006, does not contain a lever as in the Species shown in Figure 10. The Examiner is correct in that Fig. 7 does not show a lever, however, in the Office action mailed May 11, 2006, Examiner Shaffer acknowledged that the election of Figure 7 appeared to be a mistake, and indicated that he had corrected the election to be of the species shown in Figure 10. Examiner Shaffer further indicated that claims 12-15, which do not recite a lever, were withdrawn from further consideration. Based upon this election/restriction history, Applicants respectfully submit that elected claims 7-11, which are drawn to the Species shown in Figure 10, properly recite a lever.

35 U.S.C. § 102(b) Rejections

Claims 7, 8, 10, and 11 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Mencacci (US Patent 3,396,721).

Mencacci teaches a device for stimulating peristaltic movements. The device includes a belt 9 that straps around a users waist and carries a solenoid 4. An electric feedline 12 extends to a timer 8 so that the wearer can easily see and handle the timer (see Mencacci, col. 2, lines 38-42). A standard electrical plug extends from the timer for insertion into a wall. The device is configured to apply a series of blows to the 1-5 lumbar vertebrae (see Mencacci, col. 1, lines 49-51, and col. 2, lines 17-19; 60-63; 71-72).

In contrast, claim 7 is directed to a device for applying pressure to a point on the *wrist*. As amended, claim 7 recites a “wristwatch-like housing” and a strap for attaching the housing to the wrist so “the strap and housing are carried by the wrist.” Mencacci does not teach or suggest a device for applying pressure to the wrist, nor does Mencacci provide any motivation for reconfiguring the device for stimulating peristaltic movements to apply pressure to the wrist.

Furthermore, Mencacci does not teach or suggest a solenoid operably connected to a *lever*. On page 2 of the Office action, the Examiner suggests that the armature 3 of the solenoid 4 taught by Mencacci constitutes the claimed lever. Applicants respectfully submit that the Examiner’s characterization of the armature 3 as a lever is improper.

As well known by those skilled in the art, the armature 3 of a solenoid reciprocates within the solenoid body in response to creation of a magnetic field in the solenoid coil. It is also well known by those skilled in the art that a lever is a means for transmitting force by pivoting a rigid beam or member about a fixed point or fulcrum. Because the armature 3 does not pivot about a fulcrum, it cannot reasonably be construed as a lever. For example, as explained in Applicants’ specification, “movement of the solenoid core 28 operates lever 37, rotating the lever about pivot 38. This translates horizontal movement of the solenoid into vertical movement of the nodule.” (p. 10, lines 5-9). No such structure is taught by Mencacci. For these reasons, Mencacci does not teach or suggest the subject matter of claim 7.

Claims 7, 10, and 11 also stand rejected under 35 U.S.C. § 102(b) as being anticipated by Simon (US Patent 5,245,989).

Simon teaches an apparatus for pain relief by controlled cranial pressure. The device takes the form of a helmet and is provided with a plurality of pressure applying devices 106a, 106b, 106c. Each device includes a shaft 113 that moves up and down as indicated by the arrows 115 in Fig. 3 (see Simon, col. 4, lines 37-38). The device also includes an input interface 105 built into the helmet for connection with a multiplexer 141 via control signal cables, and with the pressure applying devices via connection wires 108. A power supply 142 is also connected via the input interface 105.

Like Mencacci, Simon does not teach or suggest a device for applying pressure to the wrist, nor does Simon provide any motivation for reconfiguring the apparatus for applying cranial pressure to apply pressure to the wrist as claimed in claim 7.

Simon also does not teach or suggest a lever. Many of the arguments presented above with respect to the lever element apply equally here. With respect to Simon, the Examiner suggests that the washer 121a taught by Simon constitutes the claimed lever. For reasons similar to those discussed above (e.g., a washer does not transmit force by pivoting about a fulcrum), Applicants respectfully submit that the Examiners characterization of the washer 121a as a lever is improper. The device of Simon does not include a lever as claimed.

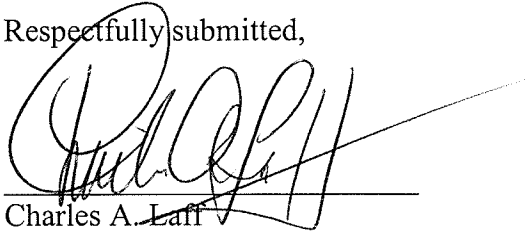
For at least the reasons discussed above, Applicants respectfully submit that amended claim 7 is allowable. Claims 8-11 are allowable at least in part because they depend from claim 7.

Application Serial No.: 10/601,246
Reply to Office Action Dated: July 26, 2007

CONCLUSION

In view of the foregoing, allowance of the claims is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Charles A. Laff', is written over a horizontal line.

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